

REMARKS

The specification (abstract) has been objected to as failing to be included in the previous amendment. A copy of the abstract, as amended in the previous amendment, is attached hereto. The Examiner is respectfully requested to enter the amendment.

Claims 3, 4, 6 and 7 have been objected to due to informalities. Claims 6 and 7 have been amended to correct the noted informalities.

Claims 3 and 5-7 have been rejected under 35 USC 102(e) as anticipated by Dunn (U.S. Patent No. 6,118,780). The rejection is respectfully traversed.

Dunn discloses a user using a personal computer, in real time, that controls the activation and selection of voice and data transmission paths in a communication network independent of network profiles. According to Dunn, the user has little or no control over the call transmission routing or type of service or bandwidth except through contact with the telephone company to change the user profile stored in the SCP (col. 3, lines 23-36). Dunn solves this problem by enabling the user to change his/her AIN profile directly and in real time (col. 3, lines 59-61). The user is able to accomplish this by use of a menu, for example, which is offered to the user on his/her personal computer (col. 4, lines 29 - 53). Specifically, the menus can be changed by the user as his/her voice and data needs change. Hence, the client server interface 44 enables a user to select and direct the incoming/outgoing traffic and routes voice or data to the network 20 via switch 12 or to the data network 24 via the server 32.

In the claimed invention, on the other hand, the user is not involved in setting the profiles. Rather, the user calls up a service, modification of the service profile is not performed. A central network element (SCP) maintains the parameters of the service and the user, and ensures that

a connection to a desired service is established without the need for further negotiation of parameters. However, the user does not change his/her profile, which is stored in the SCP.

Since the recited structure and method are not disclosed by Dunn, claims 5 and 6 are patentable. Claims 3, 4 and 7, depending therefrom, are similarly patentable.

Claim 4 has been rejected under 35 USC 103(a) as unpatentable over Dunn in view of Casey, III (U.S. Patent No. 5,371,782). The rejection is respectfully traversed for the same reasons presented in the arguments above, and for the following reason.

The Examiner states that Dunn fails to disclose “selecting the service provider depending on the quality of service demanded by a service provider,” but that Casey, III teaches this feature. Applicant’s respectfully disagree. Casey, III discloses a process regarding a communication connection being established between a cordless phone and a desired service provider (col. 2, lines 7-31). This process is controlled by means of a carrier request code (col. 4, lines 33-36). In this case, the user also ultimately selects the service provider, which is in contrast to the invention, in which the selection occurs by the network itself. Hence, no combination of Casey, III and Dunn disclose the claimed invention.

Since the recited method is not disclosed by the applied references, claim 4 is patentable independently of claim 6 from which it depends.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 449122017400.

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Respectfully submitted,

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